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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,675	08/24/2001	Toshiyuki Tamura	IDE.006	3440

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EXAMINER

SING, SIMON P

ART UNIT PAPER NUMBER

2645

DATE MAILED: 02/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/935,675	<b>Applicant(s)</b> TAMURA, TOSHIYUKI	
	<b>Examiner</b> Simon Sing	<b>Art Unit</b> 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 8-11 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-7 is/are allowed.
- 6) ☒ Claim(s) 1 and 8-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20050107</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Claim 1 is objected to because of the following informalities: The phrase "non-band-compressed signal" in line 2 is a typo. It should be changed to "non-bandwidth-compressed signal" in accordance with the specification.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1 and 8-11 are rejected under 35 U.S.C. 102(a) as being anticipated by Siemens TdocN4-000476 (from IDS).

2.1 Regarding claims 1, 8 and 10, Siemens discloses a method for transcoder free operation (TrFO) during a handoff. Siemens teaches a mobile switching center, or MSC and a mobile switching gateway, or MGW (first network, or switching node) for establishing a TrFO (second mode) connection between two radio network controllers (RNC) RNC and RNC B (second network). When a user A moved from to a new RNC A', a transcoder is inserted (first mode) to inquire RNCI information from the new RNC

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A', and if the RFCI information is the same as the originating RNC A (which means that the setting information between the new RNC A' and the transcoder can be changed to a TrFO setting information, or new RFCI = old RFCI), and a new TrFO connection is established (Siemens, section 2.2; Applicant's Specification, page 5, lines 20 to page 6, line 3).

2.2 Regarding claim 9 and 11, Siemens teaches RFCI information.

***Allowable Subject Matter***

3. Claims 2-7 and allowed.

3.1 The following is a statement of reasons for the indication of allowable subject matter:

Independent claims 2 and 5 disclose a system, comprising a core network and a radio access network, operates in both transcoder mode and transcoder free (TrFO) mode. When a communication between an originating terminal and a terminating terminal is in TrFO mode, and the originating terminal moves to a new radio network controller (RCN), a transcoder is inserted in the path (see figure 2). The core network then inquires the new RCN whether or not the setting information of the inserted transcoder can be changed so that setting information at its input is same as its output. If the result is yes, a TrFO is established.

The closest prior art of Siemens, teaches TrFO connections between two mobile stations. When one of the mobile stations moves to a new RNC, a transcoder is inserted between the new RNC and a MSC to inquire RFCI information of the New RNC. If the RFCI information is the same as previous one, a new TrFO connection is established. Since Siemens teaches inserting a transcoder between a RNC (with compressed signals) and a MSC (with non-compressed signals), the setting information at the input and out of the transcoder cannot be the same.

Claims 3, 4, 6 and 7 are dependents of claims 2 and 5, and therefore are allowed.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

4.1 US 5,867,784 (Lantto) discloses a call forwarding in a mobile communication system with codec (transcoder) through connect mode.

4.2 US 5,608,779 (Lev et al.) discloses a method for communications between mobile units using transcoder transparent (free) mode.

4.3 US 6,556,844 (Mayer) discloses a process for transmitting data in tandem (transcoder) free operation.

4.4 US patent Publication No. 2003/0032440 (Sato et al.) discloses a multipoint communication method with transcoder free operation (TrFO).

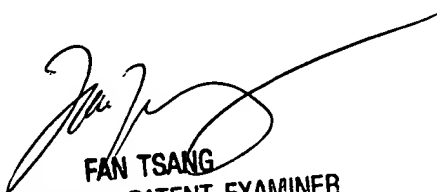
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5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



S.S.

01/07/2005



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